

Appl. No.: 10/711,992
Amdt. Dated: September 22, 2008
Reply to Office Action of June 25, 2008

REMARKS

Claims 1-24 stand rejected. Claim 1 has been amended herein. Therefore claims 1-24 are pending and at issue. Applicant respectfully requests reconsideration of the rejections and allowance of the claims.

Claims 1-13 stand rejected under 35 U.S.C. § 101 as allegedly failing to recite statutory subject matter. While Applicant strongly disagrees with the Office Action's assertion, Applicant has nonetheless amended claim 1, from which claims 2-12 depend, to further the prosecution and consideration of these claims. Specifically, claim 1 has been amended to recite similar subject matter as recited in portions of claim 14. For example, claim 1 has been amended to recite receiving a complaint from a consumer in an electronic format, displaying the complaint and any merchant's response on an Internet site, receiving a plurality of user's opinions of righteousness in an electronic format and displaying the user's opinions of righteousness on an Internet site. Therefore, Applicant asserts that claim 1 recites statutory subject matter and that this rejection of claims 1-13 should be withdrawn.

Claims 1-7, 11-16 and 20-24 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No. 7,343,295 to Pomerance. Applicant respectfully requests reconsideration and withdrawal of this rejection as Pomerance fails to disclose or suggest one or more features recited in the claims.

As the Office Action directs its analysis mainly to independent claim 14, Applicant will address this claim first. Claim 14 recites the involvement of three entities: an Internet consumer; an Internet merchant; and a plurality of Internet users. These entities are distinct as the Internet user is the entity sending the complaint, the Internet merchant may or may not provide a

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response to the complaint and at least one of the Internet users provides an opinion of righteousness.

Claim 14 recites displaying the complaint and any Internet merchant's response on a publicly accessible Internet site for a plurality of Internet users' opinions of righteousness and receiving at least one of the Internet users' opinions of righteousness in electronic format. Pomerance simply fails to disclose or suggest these features. The sections of Pomerance cited by the Office Action simply refer to making the merchant's anonymized records of the complaint publicly available. These records are not made available for receiving at least one of the Internet users' opinions of righteousness.

The Office Action asserts that this step is performed in Pomerance when "the Internet users' opinions of righteousness are reflected in whether the user has accepted the merchant's offer of a resolution." It appears that the Office Action has confused the Internet consumer with the Internet users. As discussed above, the Internet consumer provides a complaint about the merchant and the Internet users provide opinions of righteousness, such as about the righteousness of the consumer's complaint and/or the merchant's response. In Pomerance, the consumer is the one who would determine whether to accept the merchant's offer or a resolution, not the Internet users.

Regardless, it is extremely unclear how the Office Action can equate the concept of a consumer accepting an offer of resolution to the concept of Internet users' opinions of righteousness. Ignoring the fact that the users are not the consumer, if a consumer accepts an offer, he may have any opinion he chooses, but out of necessity, determines that it is better to accept the offer than fight any further. The consumer may still have a very negative opinion even if the offer is accepted.

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Furthermore, Pomerance fails to disclose or suggest displaying the Internet users' opinions of righteousness in the Internet site as a numerical representation, as recited in claim 14. The Office Action asserts that this step is performed in Pomerance when the status of the case is displayed as part of the merchant's public record. There is absolutely no numeric representation of users' opinions in Pomerance. The numbers displayed in Pomerance, such as shown in Table 15, provide an anonymized description of the consumer and merchant. The numbers do not provide a numerical representation of the opinions of righteousness of the users.

Therefore, as presented above, Pomerance fails to disclose or suggest one or more features recited in claim 14 such that the rejection should be withdrawn and the claim allowed.

The other independent claims, claims 1, 23 and 24 recited similar features to those described above, which Pomerance fails to disclose or suggest. For example, claim 1 recites similar method steps of receiving a plurality of Internet users' opinions of righteousness in an electronic format and displaying the users' opinions of righteousness on an Internet site. Claim 23 recites an Internet site of Internet users to opine as to the righteousness of the Internet consumer and the Internet merchant and a means for providing a numerical representation of the Internet users' opinions of righteousness and displaying it on the Internet web site. Claim 24 recites providing a publicly available Internet site for receiving Internet users' opinions of righteousness and providing a numerical representation of the Internet users' assessments of righteousness on the Internet web site. Therefore, for similar reasons as presented above with respect to claim 14, the rejection of claims 1-7, 11-13, 15, 16 and 20-24 should be withdrawn and the claims allowed.

Claims 8-10 and 17-19 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pomerance in view of U.S. Patent No. 7,363,361 to Tewari. As discussed

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supra, Pomcrance fails to disclose one or more features recited in the independent claims, such as receiving a plurality of Internet users' opinions of righteousness in an electronic format and displaying the users' opinions of righteousness on an Internet site. Tewari similarly fails to disclose or suggest these features. Therefore, as Pomerance and Tewari, when taken alone or in combination, fail to disclose or suggest one or more features, the rejection should be withdrawn and the claims allowed.

Reconsideration of the rejections, in light of the aforesaid amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the application into a proper condition for allowance.

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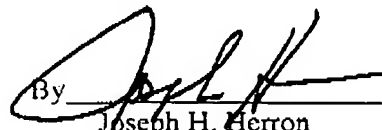
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CONCLUSION

Should any informal matters remain which can be corrected by Examiner's amendment,
Applicant requests that the undersigned be contacted by phone in order to expedite the
prosecution of the present case.

Respectfully submitted,

By 

Joseph H. Herron
PTO Reg. No. 53,019
Seyfarth Shaw LLP
Attorneys for Assignee
131 South Dearborn Street
Suite 2400
Chicago, Illinois 60603-5577
312-460-5000
312-460-7000 (fax)